



Legislative Update

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TAX CREDIT VOUCHERS

The Senate Education Committee heard HCS/HB 349 (Christofanelli) on March 23. The Association opposes the bill. The bill creates a tax credit voucher program that would allow donations to divert state funds to pay expenses for home school, private school or charter schools for certain students.

The committee met again on March 25 and voted to approve the bill by a vote of 5-4. Senators Arthur, Gannon, Razer and Schupp voted in opposition. Once reported to the floor, the bill could be taken by the Senate for debate, possibly as soon as next week.

Missouri NEA opposes these and similar proposals to divert public funds to private schools not subject to the same standards of accountability, transparency and respect for the rights of students, staff and parents as apply to public schools.

Amendments adopted by the House: 1) revise the overall program cap to start at \$50M and allow growth to \$75M, 2) limit eligibility to students in the more populous (charter) counties and in cities over 30,000 population, 3) delay the implementation until pupil transportation funding reaches 40% of allowable cost, and 4) provide five years of phantom student state aid payments for students who leave school districts to participate in the program. The revised version has significantly greater state cost.

HOUSE PASSES OPEN ENROLLMENT BILL

The House narrowly approved HS/HCS/HB 543 (Pollitt) on March 25 by a vote of 82-68. The House Substitute version corrects a technical error that was discovered in an adopted amendment. The bill creates a public school open enrollment program.

House amendments addressed many of the concerns brought forward on the bill. The House voted to remove the transfer of local funds from the sending district. Amended language also moved the deadlines for applications earlier each year to give districts more time to plan for any changes in enrollment. Students applying for a transfer must commit to attend in the receiving district for a full academic year. New language also clarifies that the bill does not authorize transfers to charter schools or to full-time virtual schools. MSHSAA will be allowed to establish penalties relating to interference in the open enrollment process based on athletic participation.

HCS/HB 543 resembles the public school open enrollment statute in the state of Iowa. The bill allows students to request a transfer to attend another public school district. School districts would have the option to specify the number of transfer students they are willing to receive, but there would be no general limitation on the number of students who chose to leave the district. HB 543 also includes the option for a district to adopt a diversity plan that could limit student transfers out of the district for

transfers that would work against the diversity plan. The House also approved language to limit student transfers out of a district to five percent of enrollment for the first two years of the program.

HB 543 represents a significant change in enrollment policy. The Association remains concerned that some students may be left behind in such a transfer plan, particularly if funding is not provided to support participation of students with special needs and at-risk students. Ongoing appropriations to the state fund created to support those transportation and special education expenses will be needed to implement the bill. The sponsor acknowledged that issues will likely arise regarding equitable access as the bill is implemented. The Association will continue to work to address these issues if the bill is passed by the House and taken up by the Senate.

HOUSE BUDGET REJECTS MEDICAID EXPANSION; APPROVES REMAINDER OF BUDGET

The House Budget Committee voted by a party-line vote to reject HB 20 (Smith). HB 20 contains the specific funding in various Medicaid programs required under the expanded Medicaid eligibility approved last year by Missouri voters as Amendment 2. Since the Constitution requires implementation of these services and the state has submitted a plan to the federal government to implement these services, the legislature is still expected to ultimately include this funding in the budget, either in one of the regular budget bills approved by the committee or in a supplemental appropriation. The Association supported Amendment 2 and urges the legislature to fulfill the intent of Missouri voters to provide these important healthcare services for services for low-income, working Missourians.

The committee also amended and approved the proposed committee substitutes for House Bills 1-13 (Smith), the operating budget bills for next fiscal year on March 25. Rep. Smith's proposed changes removed a significant amount of General Revenue from various budget lines in anticipation of replacing that funding with federal fiscal relief funding. The Association is concerned that HCS/HB 2 currently contains \$2M in new funding for a non-profit entity in St. Louis school district, which appears to be available for the pro-charter Opportunity Trust. That organization has been advancing legislation that seeks to change school accreditation in radical ways that would expand charter schools by labeling more districts unaccredited. The committee rejected Rep. Merideth's amendment to shift this funding to a reading instruction program in the district.

LOCAL CONTROL OF PUBLIC HEALTH MEASURES

The Senate voted to defeat SS#2/SCS/SBs 12, 20, 21, 31, 56, 67, & 68 (Onder) on perfection on March 24 by a vote of 11-19. The bill pertains to local control of public health measures by city and county health agencies and limits the period that public health agencies may issue emergency orders without approval by the city or county governing body. The Association believes that every child should have a safe place to learn. The Association urges the General Assembly to ensure that any such legislation maintain a structure where local and state public health officials can take appropriate and timely action to adopt and enforce provisions to help ensure students have safe schools.

2.55% PSRS FACTOR FOR 31+ YEARS OF SERVICE

The House Pensions Committee heard HB 828 (Dinkins) on March 24. The bill reestablishes the 2.55 percent benefit factor for PSRS members with 31 or more years of service. This bill would save the system money over the long term while still providing an incentive for experienced teachers to continue teaching for another year. The Association supports the bill.

GIFTED EDUCATION

The House took up HCS/HB 306 (Griesheimer) for perfection on March 23. The bill was sent to the Legislative Review Committee to correct technical issues. The bill would require a district to establish a gifted education program if three percent or more are identified as gifted. The Association believes that gifted and talented students need a challenging curriculum and a program that identifies and supports their unique needs. The Association supports this portion of the bill.

The House added an amendment to include HB 1067 (Shaul) to protect A+ scholarship eligibility for students who have a negative change to their GPA from 2019-20 or 2020-21 due to the impact of COVID-19. The House also added an amendment to include HB 478 (Christofanelli) to rename the state's 529 education savings program to be the Missouri Education Program and Includes all eligible educational institutions allowed under federal law.

POLICIES ON SECLUSION AND RESTRAINT

The House perfected HB 387 (Bailey) on March 23. The bill would revise the requirements for seclusion and restraint policies in public schools. The bill defines seclusion and restraint, requires parental notice if either seclusion or restraint is used on a student and contains reporting requirements on the incident. The Association will continue to monitor legislation on this issue to ensure that it allows school boards to maintain a policy that respects the safety and dignity of both students and staff.

RECORDING IEP MEETINGS

The House voted to approve HB 228 (Basye) on March 24. The bill would allow parents of special education students to make audio recordings of IEP meetings and 504 plan meetings with prior notice. The bill was approved as a Consent Bill.

CAMPUS CARRY

The House General Laws Committee voted to approve HCS/HB 86 (Taylor) on March 22. The bill would reduce local control of public college and university governing boards to regulate concealed weapons on campus. The Association believes that all students and education employees should be allowed to learn and work in a safe environment free of unauthorized guns and other deadly weapons and opposes the bill.

WORKFORCE DEVELOPMENT

Two similar bills containing various provisions governing workforce development programs were heard on March 23. The House Elementary and Secondary Education Committee heard HB 101 (Pollitt), and the Senate Education Committee heard SB 265 (Eslinger). Both bills would enact various provisions governing workforce development and education. Among these provisions, both bills create the option for school districts to request waivers of certain regulations from the State Board of Education. The bills also change state formula aid calculations to encourage districts that have not yet done so to establish early childhood programs. The bills also extend the maximum full-time retirement employment option under the critical shortage statute from two years to four years. The bills also allow a PSRS retiree to be employed under critical shortage as a superintendent after a one year waiting period. The Association supports several provisions in the bills, including the funding changes to support early childhood education.

In addition, the House perfected HB 733 (Patterson) on March 24. The bill creates a new adult high school and industry credential program through DESE. The House amended the innovation waiver language from HB 101 (Pollitt) and the language of HB 896 (Black) to require DESE to create a statewide plan for career and technical education.

VOTER ACCESSIBILITY

The House voted to approve HCS/HB 738 (Rone) on March 25. The House Substitute corrects a technical error in an amendment adopted by the House. The Association opposes the bill.

The bill would change the law to disallow electronic voting machines and other emerging technologies that can help disabled and visually impaired voters. HB 738 would also eliminate non-photo ID options currently allowed for registered voters. The Association believes that the human and civil rights of individuals with disabilities must be protected. Missouri NEA also opposes barriers that keep eligible citizens from voting and being politically active and opposes the bill.

SENATE EDUCATION COMMITTEE

The hearing on HB 349 ran over the scheduled committee time on March 23, and the hearings scheduled for SB 259 (O'Laughlin) regarding recovery high schools and SB 265 (Eslinger) regarding workforce development were cancelled.

The committee did hold a brief executive session and approved four bills:

SCS/SB 54 (O'Laughlin) regarding reading intervention in schools. The Association believes that reading instruction, with appropriate evidence-based reading intervention, especially in the early grades, is essential for learning and achieving high standards in all content areas. The Association also believes that key decisions regarding assessment, placement, additional instruction and advancement should be made at the local level with district, employee, parent and student input.

SB 76 (Beck) to require school districts to adopt policies providing for accommodations for nursing mothers.

SB 323 (May) to allow school districts to offer elective social studies courses on the Hebrew Scriptures and the New Testament.

SB 390 (Luetkemeyer) to specify that school districts in Buchanan County shall be in the same community college district as school districts in Grundy County.

The committee also voted to approve SCS/SB 136 (Rehder) on March 25. The bill would require school districts to conduct criminal background checks for adult age students in education programs who have contact with students who are counted in the district's regular term attendance.

HOUSE ELEMENTARY AND SECONDARY EDUCATION COMMITTEE

In addition to HB 101, the committee heard three other bills on March 23:

HB 580 (Riggs) to require DESE to submit an annual report to the General Assembly listing the number of elementary and secondary students who do not have home internet access or who have limited home internet access.

HB 581 (Riggs) to establish the "21st-Century Missouri Education Task Force". The Task Force would conduct a study of a variety of education issues, including school funding and accountability.

HB 608 (Lewis) to create a state law establishing qualifications for substitute teachers. The bill would create a similar structure to the State Board rule that currently allows either 60 hours of college credit or completion of 20 hours of DESE training to qualify for certification. The Association supports high standards for substitute teachers and believes that professional development, including classroom management, should be required for all substitutes. The Association also suggests that substitutes should be regularly surveyed to better understand the challenges they face and improve working conditions and pay for substitutes.

In addition to hearing four bills, the committee voted to approve four bills on March 23:

HB 37 (Pollock) relating to immunizations. The bill exempts private schools from immunization requirements applicable to public schools and creates an exemption for students providing a written religious or conscientious belief statement regarding immunizations. The Association believes that waivers should minimize the numbers of unvaccinated students to those necessary due to documented medical conditions.

HCS/HB 108 (Bangert) to require schools to offer students instruction in cursive writing. Unusually, the committee approved an amendment opposed by the bill sponsor. The amendment states that public schools can teach courses in Hebrew and Christian scripture. The sponsor voted against the HCS version of her own bill, but the bill was approved by a party line vote.

HB 639 (Morse) to designate May 10 as School Bus Drivers' Appreciation Day in Missouri.

HB 1314 (Bosley) to prohibit certain discriminatory practices based on hair texture and protective hairstyles.

HOUSE HIGHER EDUCATION COMMITTEE

The committee met on March 22 to hear HB 1346 (Henderson) to revise funding allocations for institutions of higher education by making a part of the allocation based on workforce readiness of students. As drafted, the bill would create incentives for institutions to emphasize programs leading to high-paying careers. This change could adversely affect programs leading to lower-paying careers, including teaching, social work and law enforcement.

The committee also voted to approve HB 682 (Chipman) to prohibit public institutions of higher education from requiring students to live on campus, except that institutions may require first-year freshmen to live in campus housing.

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